

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GARCO CONSTRUCTION, INC., a
Washington corporation,

Plaintiffs,

v.

BOINES CONSTRUCTION AND
EQUIPMENT COMPANY, INC., a
Louisiana corporation,

Defendant.

NO. CV-05-0041-EFS

**ORDER DISMISSING ACTION
PURSUANT TO THE PARTIES'
STIPULATED MOTION FOR
DISMISSAL WITH PREJUDICE**

Before the Court, without oral argument, is the parties' Stipulated Motion for Dismissal with Prejudice (Ct. Rec. 22). The above-described dismissal is without the award of fees or costs to any party. *Id.* Based on the parties' Stipulated Motion for Dismissal with Prejudice and pursuant to Federal Rule of Civil Procedure 41(a), this action is hereby dismissed with prejudice.

Accordingly, **IT IS HEREBY ORDERED:**

1. Pursuant to the parties' Stipulated Motion for Dismissal with Prejudice (**Ct. Rec. 22**), this action is **DISMISSED WITH PREJUDICE**.

2. All pending motions are **DENIED AS MOOT**.

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1 **IT IS SO ORDERED.** The District Court Executive is directed to enter
2 this Order and provide a copy of the Order to counsel and **CLOSE THIS**
3 **FILE.**

4 **DATED** this 30th day of October 2006.

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6 S/ Edward F. Shea
7 EDWARD F. SHEA
8 United States District Judge

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